

**The Corporation of The Municipality of Brighton**

**By-Law No. 114-2021**

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**Being a By-Law to establish Planning and Building Fees and Service Charges for the Municipality of Brighton, Effective January 1, 2022**

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**Whereas**, *Sections 391(1) of the Municipal Act S.O. 2001, c. 25, as amended*, authorizes the Council of a local municipality to pass by-laws imposing fees or charges for services or activities provided or done by or on behalf of it; for costs payable by it for services or activities provided or done by or on behalf of any other municipality or local board; and for the use of its property including property under its control;

**And Whereas**, *Section 69 of the Planning Act, R.S.O. 1990, Chapter P. 13*, provides that the Council of a municipality may prescribe a tariff of fees for the processing of applications made in respect of planning matters;

**And Whereas**, *Section 7 of the Building Code Act, S.O. 1992, Chapter 23*, as amended, authorizes a municipal Council of a municipality to pass a by-law requiring the payment of fees on applications for and issuance of permits and prescribing the amounts thereof;

**And Whereas**, pursuant to *Section 400(f) of the Municipal Act S.O. 2001, c. 25, as amended*, the Council of the Corporation of the Municipality of Brighton provided notice of the proposed user fees and charges in The Independent on Wednesday, November 10, 2021 and held a Public Meeting on Monday, November 15, 2021.

**Now Therefore** – the Council of the Corporation of the Municipality of Brighton hereby enacts as follows:

1. **That** the fees and charges set out in “F” and “G” attached to this By-law shall apply to every request made to the Corporation of The Municipality of Brighton and all Municipal Departments or any officer or employee of the Municipality of Brighton, including but not limited to fees or charges for requests for documents, reports, letters and other information whether written, printed or electronically produced or stored or produced or stored in any other manner, searches, inspections, applications, permits, programs and the use of its facilities or properties, or for any other service or activity provided by the Municipality to any person or other authorized costs payable by the Municipality;
2. **That** Interest at the rate of 15.0% per annum (1.25% per month) shall be added to overdue accounts. The amount owing may be added by the Treasurer of the municipality to the tax roll Schedules “F” and “G” attached hereto form part of this By-law.
3. **That** should any provision of the By-law, including any provision contained in one or more of the attached Schedules be determined by a court of competent jurisdiction to be invalid or void and of no force and effect, it is the stated intention of Council that such invalid provision shall be severable and the remainder of the By-law, including any applicable Schedule shall continue in full force and effective;
4. **That** this By-Law shall come into force and effect on January 1, 2022.
5. **That** By-law 109-2020 be repealed in its entirety.
6. **That** the Short Title of this By-law shall be “The Planning and Building Fees and Charges By-law”.

Read a first, second and third time and finally passed this 6th day of December 2021.

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Brian Ostrander, Mayor

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Candice Doiron, Clerk

## Schedule “F”

### To the Planning Department

### Corporation of the Municipality of Brighton

#### Costs Deposits

1. Each application for which a Cost Acknowledgement Agreement is required also requires a Deposit Fee.
2. A signed Cost Acknowledgement Agreement together with the appropriate Deposit Fee must accompany each application.
3. Lower Trent Conservation costs for planning review of all pertinent applications will be as per the fee schedule of the Lower Trent Conservation.
4. Unless otherwise stated, combined Applications Fee Reduction of \$300 for applications that can be processed concurrently with only one staff report and only one public meeting.

**A Costs Deposit of the corresponding financial amounts shall accompany the respective applications, or as otherwise referenced herein:**

Pre-Consultation	\$1,000.00
Official Plan Amendment	\$4,000.00
Zoning Amendment	\$2,000.00
Plan of Subdivision/Condominium	\$10,000.00
Consent	\$1,000.00
Variance	\$1,000.00
Site Plan	\$2,000.00
Deeming By-law	\$1,000.00
Aggregate Licence Application – Municipal Review Letter	\$4,000.00, plus legal costs

#### Peer Review Fees

Applications being accompanied by required reports or studies may be subject to peer or external review at the discretion of the Municipality. Also, legal opinions or legal tasks associated with an application may be sought by the Municipality. Such external costs that are related to the application will be borne by the Applicant.

Fees for Peer review, Legal, or other external resources	\$ - At Cost
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<b>Service</b>		<b>Fee</b>
1	Entrance Permit	\$500.00 application fee
2	Open Road Cut Permit	\$350.00, plus \$3000.00 deposit
3	Bore Under Municipal Road Permit	\$350.00, plus \$3,000.00 costs deposit
4	Permission to Access a Municipal Right of Way Permit	\$350.00, plus \$3,000.00 costs deposit
5	<p>Road Allowance Closure Inland Road Allowance: Above 100 feet of frontage on an inland road allowance, plus \$10.00 per each additional foot. Road allowances lying adjacent to lots within registered plans of subdivision shall be offered for sale at fair market value.</p> <p>Road Allowance Leading to Water: The value of the lands will be determined through the Offer of Purchase and Sale negotiation process and will not be valued less than the fair market value together with such premium as mutually negotiated between the Council and the applicant.</p>	Minimum fee of \$1,000.00, plus land acquisition costs
6	Encroachment Agreement:	\$700.00 application fee, plus costs (legal, survey, advertising)
7	Work Order Compliance	\$80.00
8	Planning and Zoning Information	\$80.00
9	Subdivision Agreement Compliance	\$80.00 plus staff Standard rate
10	Site Plan Compliance	\$80.00, plus staff Standard rate
11	Copy of Comprehensive Zoning By-law	\$100.00
12	Copy of Official Plan	\$100.00
13	Lot or Agreement Release (Clerk)	\$100.00 plus legal costs

**Schedule “F”****To the Planning Department****Corporation of the Municipality of Brighton**

Fees for the processing of applications made in respect of Planning matters:

<b>Application</b>		<b>Fee</b>
1	Pre-Consultation: - Initial or General Enquiry - Stage I - Principle of Land Use Letter - Stage II – Complete Application Letter - Consultation Letter, Lower Trent Conservation (LTC)	No Fee 25% Application fee 25% Application fee See LTC
2	Official Plan Amendment, Major Residential <sup>1</sup>	\$10,000.00
3	Official Plan Amendment, Major Commercial <sup>1</sup>	\$12,000.00
4	Official Plan Amendment, Other <sup>1</sup>	\$4,000.00
	- Community Improvement Plans: Basic Fee – New Area or Project Plan	\$8,000, plus Public Notice
	- Community Improvement Plan Amendment	\$5,000
5	Zoning By-Law Amendment, Major Residential <sup>1</sup>	\$7,000.00
6	Zoning By-Law Amendment, Major Commercial <sup>1</sup>	\$7,000.00
7	Zoning By-Law Amendment, Other	\$2,500.00
8	Combined OPA/ZBA for Major Commercial fee, and Major Residential Applications only	OPA plus 50% of ZBA fee
9	Zoning By-Law Amendment: H-Removal	\$500.00
10	Temporary Use By-Law or Extension	\$1,500.00
11	Consents (Severance) - New lot	\$3,000.00
	- Technical (easement, lot addition)	\$1,500.00

<b>Application</b>		<b>Fee</b>
12	Minor Variance, Major Residential <sup>1</sup>	\$3,000.00, plus \$45.00 per unit
13	Minor Variance, Major Commercial <sup>1</sup>	\$3,000.00
14	Minor Variance, Other	\$1,500.00
15	Site Plan Agreement, Major Residential <sup>1</sup>	\$3,500.00, plus \$40.00 per lot/block
16	Site Plan Agreement, Major Commercial <sup>1</sup>	\$5,500.00
17	Site Plan Agreement, Other <sup>1</sup>	\$3,000.00
18	Site Plan Control Approval, no agreement applicable	\$1,500.00
19	Amending Site Plan Approval & Agreement	\$1,900.00
20	Application for Site Plan Undertaking	\$800.00
21	Off-site Improvement Agreement	Staff Standard rate, plus legal
22	Pre-Servicing or Model Home Agreement	\$2,000 + legal costs
23	Application for Draft Plan of Subdivision/ Condominium	\$3,500.00+ \$200.00 per unit
24	Conversion to Condominium	\$4,000.00, plus \$500 per unit
25	Application for Extension of Draft Plan Approval	\$2,000.00
26	Application for Amendments to Draft Plan Approved Plans and/or Conditions: i) Notice Required ii) No Notice Required	\$3,000.00 \$1,500.00
27	Application for Final Approval of Plan of Subdivision/Condominium	\$3,000.00, plus \$45.00 per lot/block

<b>Application</b>		<b>Fee</b>
28	Application for Part Lot Control Exemption	\$1,000.00, plus \$45.00/unit
29	Merger of Lots Application	\$1,000.00
30	Cash-in-lieu of Parkland	Commercial/Industrial – 2% of appraised land value; Other - 5% of appraised land value, OR as per Parkland Dedication By-law under Section 42 of the Planning Act
31	Cash-in-lieu of Parking	\$6,000 per stall or as per Section 40 of the Planning Act
32	Request to Amend Approval Conditions or Agreement Minor Major	\$500.00 \$2,000.00
33	Deeming By-law	\$2,000.00
34	Staff attendance to Local Planning Appeal Tribunal	At Staff Standard rate

**Staff Standard Rate**

The tariff of fees herein shall apply for the provision of development review services provided by Staff. These fees are applicable for any work rendered on Plan of Subdivision or Condominium applications, Official Plan Amendment applications, or Site Plan Control applications after the application has received first approval. Staff Rates are per hour:

Director	\$125.00
Manager	\$85.00
Technician	\$55.00
Administrative Assistant	\$55.00

<sup>1</sup> Minor shall mean any property 10,000 square feet or less, or any residential property of four units or less, unless otherwise established in a Council decision.

**Schedule “G”****To the Building Department****Corporation of the Municipality of Brighton**

	<b>Service</b>	<b>Fee</b>
1	Building Compliance – with survey	\$80.00
2	Residential dwellings (and new additions)	\$1.15 per square foot
3	Residential Accessory Buildings (garage, carport, boathouse, shed, etc.)	\$0.75 per square foot
4	New Commercial Building Permit	\$1.25 per square foot
5	New Industrial Building Permit	\$0.75 per square foot
6	New Institutional Building Permit	\$1.50 per square foot
7	Commercial Renovations Permit	\$16.00 per \$1,000.00 building value
8	Industrial Renovations Permit	\$2000 minimum, \$10.00 per \$1,000.00 building value
9	Institutional Renovations Permit	\$2000 minimum, \$20.00 per \$1,000.00 building value
10	Drawings review fee for Institutional/Commercial/ Industrial or any generally large or specialized projects requiring outside review. The corporation will require a Cost Acknowledgement Agreement to be entered into and a deposit of \$5,000.00 to be submitted to initiate the review. The full cost of the external review will be borne by the Applicant.	\$5,000.00, minimum, plus outstanding cost amounts
11	Agricultural Building Permit (Includes agricultural buildings and Structures such as barns, farm equipment, storage buildings, silos, stables.	\$200.00 Minimum, The lesser of \$200.00 plus \$0.40 per square foot OR \$200.00 plus \$10.00 per \$1,000.00 building value (see Note 2 below)

	<b>Service</b>	<b>Fee</b>
12	Decks, pools (or other structures not specified herein)	\$0.80 per square foot Minimum \$200.00
13	Change of Use Permit	\$15.00 per \$1,000.00 building value (see Note 2)
14	Transmission Tower	\$1,000.00
15	Revisions to Plans after Building Permit is issued	\$200.00
16	Alternative Solution Fee	\$1000.00, plus third-party review cost
17	Re-Inspection Fee (inspection requested, work not ready for inspection)	\$50.00
18	Building Security Deposit	\$3,000.00 - new dwellings, refundable (see Note 3 below)
19	Demolition Permit	\$250.00
20	Occupancy Permit	\$120.00
21	Minimum Building Permit Fee	\$200.00, unless otherwise specified
22	Building Code Agency Services	At Cost

**Note 1:** The fee calculated in accordance with the Building Fees above shall be **doubled** in instances where the construction commences prior to the issuance of a Building Permit.

**Note 2:** When determining construction value for agricultural building and structures, only a signed contract with a firm cost from a reputable contractor will be accepted.

**Note 3:** The Building Security Deposit shall be returned to the payee upon receipt of a written request subject to confirmation that final grading inspection has been completed and all deficiencies have been corrected. No deposit shall be returned after the second anniversary of the date of the issuance of the building permit. Applicants may request an extension beyond the end of two years in extenuating circumstances. Extension approval may be granted upon recommendation by the Chief Building Official to the Director of Finance and Administrative Services.